

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital : the 21st day of September 2005

Bail application no. 871 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Nitin Yadav S/o Sri Ram Yadav
R/o Laxmipur Patti
Behind Temple, Kashipur
P.S. Kashipur
District Udham Singh Nagar

....Applicant

Versus

State of Uttaranchal

....Opposite Party

Arising out of Case Crime No. 2346 of 2005
Under Section 392 and 411 of I.P.C.
P.S. Kahipur
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal,J

The applicant has applied for bail in Case Crime No.2346 of 2005 under Sections 392 and 411 of I.P.C. P.S. Kashipur, District Udham Singh Nagar.

Heard Sri Dharmveer Sharma, learned senior advocate assisted by Sri Mohd. Azim, learned counsel for the applicant, learned A.G.A. and perused the record.

The recovery memo prepared by the police. At this stage, it creates a doubt in the prosecution case.

The applicant is in jail since 27.07.2005 and learned A.G.A. could not show any criminal history of the applicant before me.

Having considered the aforesaid circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Nitin Yadav be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfactions of C.J.M. concerned.

(B.C. Kandpal, J.)

21.09.2005

ASWAL